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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/559,097	09/19/2006	Ana Isabel Sanz Molinero	4559-053854	1132
76809	7590	02/06/2009	EXAMINER	
Barbara E. Johnson, Esq. 555 Grant Street, Suite 323 Pittsburg, PA 15219			KUMAR, VINOD	
			ART UNIT	PAPER NUMBER
			1638	
			MAIL DATE	DELIVERY MODE
			02/06/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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FEB 06 2009

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In re Application of :  
Sanz Molinero et al. :  
Serial No.: 10/559,097 : SUSPENSION OF ACTION  
Filed: September 19, 2006 :  
Attorney Docket No.: 4559-053854 :

This is in reply to the petition under 37 CFR 1.103(a) to suspend action in this application at applicants' request for a six month period of time, filed January 27, 2009.

## BACKGROUND

Applicants request prosecution in this application be suspended in order to develop the data necessary to establish comparative test results to evidence unexpected improvements attributable to the use of certain promoters disclosed and claimed in the present application. The role of comparative data to evidence novelty and nonobviousness was discussed, for example, at the Examiner interview.

## DISCUSSION

### § 1.103 Suspension of action by the Office.

(a) Suspension for cause. On request of the applicant, the Office may grant a suspension of action by the Office under this paragraph for good and sufficient cause. The Office will not suspend action if a reply by applicant to an Office action is outstanding. Any petition for suspension of action under this paragraph must specify a period of suspension not exceeding six months. Any petition for suspension of action under this paragraph must also include:

- (1) A showing of good and sufficient cause for suspension of action; and
- (2) The fee set forth in § 1.17(h), unless such cause is the fault of the Office.

Applicants have replied to the last Office action by filing an appropriate response. Applicants have shown good and sufficient reason for suspension.

## DECISION

In view of the above, the petition for suspension of action is **GRANTED** for a period of six months from the date of mailing of this decision.

**Should applicant obtain the requisite data prior to the expiration of the period of suspension, a submission of the results should be promptly forwarded to the Office so that prosecution may be resumed.**

Should there be any questions with respect to this action, please contact the examiner or Marianne Seidel, by mail addressed to: Director, Technology Center 1600, P. O. BOX 1450, ALEXANDRIA, VA 22313-1450, or by telephone at 571-272-0519 or by facsimile transmission at Office general facsimile number, 571-273-8300.



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